

JUDICIAL BRANCH

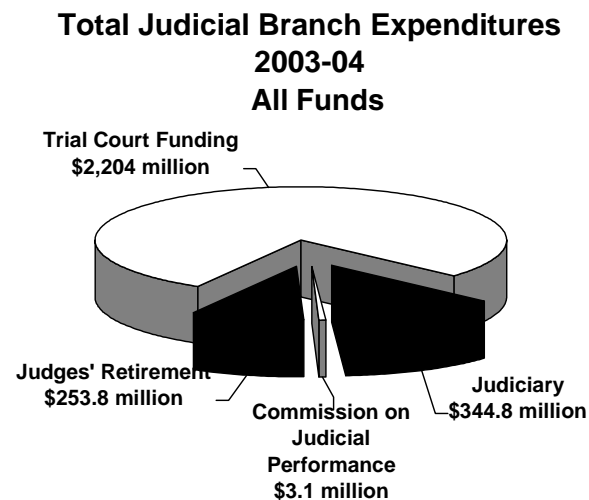
The State Constitution vests California's judicial authority in a tripartite court system composed of the Supreme Court, the Courts of Appeal, and the trial courts. The Administrative Office of the Courts (AOC) provides support to the Supreme Court, the Courts of Appeal, the trial courts, and the Judicial Council. The Commission on Judicial Performance administers judicial discipline.

For 2003-04, the Governor's Budget proposes approximately \$2.8 billion for the Judicial Branch, in combined General Fund, special funds, federal funds, and reimbursements: \$344.8 million (\$289.4 million General Fund) for the Judiciary; \$3.1 million General Fund for the Commission on Judicial Performance; \$2.2 billion (\$791.1 million General Fund) for the trial courts; and \$253.8 million (\$132.1 million General Fund) for judges' retirement costs (see Figure JB-1).

Judicial

The 2003-04 Judicial budget (Supreme Court, Courts of Appeal, AOC, and the Habeas Corpus Resource Center) totals

FIGURE JB-1



\$344.8 million, which includes \$284.3 million in state operations and \$60.5 million in local assistance. This amount reflects a decrease in expenditures of \$484,000 compared to the revised 2002-03 Budget and includes an augmentation of \$635,000 General Fund for activities related to the implementation of the Trial Court Interpreter Labor and Employee Relations Act (Chapter 1047, Statutes of 2002).



Due to current economic conditions and the State's fiscal constraints, the Judiciary has identified the following savings and reductions:

- ◆ An unallocated General Fund reduction of \$8.5 million in 2002-03 and \$17.7 million in 2003-04. These reductions have been adjusted from the amounts included in the Mid-Year Spending Reduction Proposals. Currently these reductions are scheduled as reductions to state operations. The Judicial Council is working on a plan to allocate these reductions among their various programs and items of appropriation. This plan will be presented to the Legislature during the spring.
- ◆ General Fund savings of \$500,000 related to the consolidation of various administrative functions at the Courts of Appeal. The Administration proposes legislation to achieve this consolidation.

In addition, the Administration proposes legislation for introduction in the 2003-04 First Extraordinary Session, to increase the appellate filing fee from \$265 to \$630, effective July 1, 2003. The Judicial Council estimates that this will result in General Fund revenue of \$2.1 million annually.

Commission on Judicial Performance

The 2003-04 Commission on Judicial Performance budget includes \$3.1 million General Fund, which reflects an unallocated reduction of \$1 million.

Trial Court Funding

The 2003-04 Trial Court Funding budget includes \$791.1 million General Fund and \$1.4 billion in non-General Fund resources, for a total of \$2.2 billion. This represents an overall decrease of \$5.2 million and a General Fund decrease of \$301.2 million from the revised 2002-03 Budget. The Governor's Budget contains the following augmentations:

- ◆ Consistent with the intent of the Legislature, as specified in Budget Act language, discretionary funding of \$8.4 million General Fund in 2002-03 and \$14.3 million in 2003-04 to meet various needs of the trial courts, including health benefit increases.
- ◆ \$32.6 million to address increased costs associated with providing security at trial court facilities. (See realignment discussion at the end of this section.)
- ◆ \$20 million General Fund for increased retirement costs for trial court employees.
- ◆ \$4.5 million General Fund for increased costs associated with providing court interpreters to assist non-English speaking defendants in trial court proceedings.
- ◆ \$3.9 million General Fund related to the cost of implementing the Trial Court Interpreter Labor and Employee Relations Act (Chapter 1047, Statutes of 2002).



Due to the State's fiscal constraints, the Judicial Council has identified the following savings and reductions in the Trial Court Funding budget:

- ◆ An unallocated General Fund reduction of \$36 million in 2002-03 and \$116 million in 2003-04. These reductions have been adjusted from the amounts included in the Mid-Year Spending Reduction Proposals. The Judicial Council is working on a plan to allocate these reductions among the various trial court programs and items of appropriation. This plan will be presented to the Legislature during the Spring.
- ◆ General Fund savings of \$22 million related to providing the courts with increased flexibility to contract with various sworn law enforcement agencies to provide security in the courts. The Administration proposes legislation to provide this increased flexibility to the courts.
- ◆ General Fund savings of \$31 million as a result of implementing electronic reporting of court proceedings. The Administration proposes legislation to provide for this change in practice.
- ◆ General Fund savings of \$5.5 million related to court ownership of court reporting transcripts as a result of implementing electronic reporting. The Administration proposes legislation to provide for this change in practice.

- ◆ General Fund savings of \$2.5 million related to the consolidation of various administrative functions at the trial courts. The Administration proposes legislation to achieve this consolidation.

In addition, the Administration proposes legislation to implement various fee increases to support the operation of the trial courts. The revenue from these will partially offset the General Fund support currently provided to the trial courts. The Judicial Council has identified the following fee increase proposals, resulting in General Fund savings of \$66.2 million:

- ◆ Implementing a security fee of \$20 per court filing. The Judicial Council estimates that this will result in revenue of \$34 million annually.
- ◆ Increasing the trial motion fee from \$23 to \$33. The Judicial Council estimates that this will result in revenue of \$1.2 million annually.
- ◆ Transferring revenue from various undesignated fees on court-related activities from the counties to the courts. The Judicial Council estimates that these revenues total \$31 million annually.

Total General Fund savings of \$300 million will be accomplished by providing a dedicated revenue source for court security, as discussed in the Preserving Critical Programs section. This revenue source will fund the existing base level of court security (\$289 million less \$22 million saved through the court flexibility proposal and the augmentation of \$33 million for increased costs of security as discussed above). With



this change, all trial court security costs will be funded by allocations from the Trial Court Trust Fund for realignment.

Overall, the Judicial Branch will achieve a total of \$531.5 million in General Fund savings, due to various reductions and revenue increases, including the new revenue source for court security discussed above.

